

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

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## HOUSE ENGROSSED NO. **HB 1068** - 02/15/2001

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority and the  
2 Board of Regents to implement the long-term capital project request of the Board of  
3 Regents, providing for the construction, remodeling, or renovation of various structures on  
4 the campuses of the state's universities and to make appropriations therefor.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

6 Section 1. It is in the public interest that the South Dakota Building Authority contract for  
7 the construction, completion, furnishing, equipping, and maintaining of, including heating, air  
8 conditioning, plumbing, water, sewer, electric facilities, architectural and engineering services,  
9 asbestos abatement, removal of existing roofing and structures, and such other services as may  
10 be required to accomplish the projects enumerated in section 3 of this Act, all at the estimated  
11 cost of seventy-one million seven hundred ninety-one thousand dollars. The South Dakota  
12 Building Authority may finance up to thirty-eight million three hundred forty-one thousand  
13 dollars of the construction costs through the issuance of revenue bonds, in accordance with this  
14 Act and chapter 5-12.

15 Section 2. In addition to those projects approved in section 1 of this Act, the Board of

1 Regents may contract for the construction, completion, furnishing, equipping, and maintaining  
2 of, including heating, air conditioning, plumbing, water, sewer, electric facilities, architectural  
3 and engineering services, asbestos abatement, removal of existing roofing and structures, and  
4 such other services as may be required to accomplish the projects enumerated in section 4 of this  
5 Act, all at the estimated cost of thirty million two hundred seventy thousand dollars.

6 Section 3. The projects authorized in section 1 of this Act, to be financed through the  
7 issuance of revenue bonds by the South Dakota Building Authority, include the following:

- 8 (1) The Cook classroom renovation or replacement space at Black Hills State University  
9 in Spearfish, South Dakota, for an estimated cost of eight million two hundred fifty  
10 thousand dollars provided that, in no event, may the building authority issue bonds for  
11 more than two million five hundred thousand dollars, for the Cook classroom  
12 renovation or replacement space;
- 13 (2) The technology classroom building renovation or replacement space at Dakota State  
14 University in Madison, South Dakota, for an estimated cost of two million five  
15 hundred thousand dollars;
- 16 (3) The library remodeling at the South Dakota School of Mines and Technology in  
17 Rapid City, South Dakota, for an estimated cost of eight hundred eighty-one thousand  
18 dollars;
- 19 (4) The primary electrical distribution system upgrade at the South Dakota School of  
20 Mines and Technology in Rapid City, South Dakota, for an estimated cost of seven  
21 hundred eighty-four thousand dollars;
- 22 (5) The mechanical building air conditioning project at the South Dakota School of Mines  
23 and Technology in Rapid City, South Dakota, for an estimated cost of three hundred  
24 seventy-six thousand dollars;

1       (6)    The Seymour Hall – Technology Center remodeling or replacement space at Northern  
2            State University in Aberdeen, South Dakota, for an estimated cost of three million  
3            five hundred thousand dollars;

4       (7)    The Mewaldt–Jensen Classroom Building renovation at Northern State University in  
5            Aberdeen, South Dakota, for an estimated cost of three million five hundred thousand  
6            dollars;

7       (8)    The Lee Medicine and Science Hall renovation or replacement space at the University  
8            of South Dakota in Vermillion, South Dakota, for an estimated cost of thirty-two  
9            million dollars of which no more than twelve million five hundred thousand dollars  
10          may be financed through the issuance of revenue bonds; and

11      (9)    The Shepard Hall renovation at the South Dakota State University in Brookings,  
12          South Dakota, for an estimated cost of twenty million dollars of which no more than  
13          eleven million eight hundred thousand dollars may be financed through the issuance  
14          of revenue bonds;

15      Section 4. The projects authorized in section 2 of this Act include the following:

16      (1)    The Solberg Hall renovation at the South Dakota State University in Brookings,  
17          South Dakota, for an estimated cost of seven million five hundred seventy thousand  
18          dollars which may be undertaken as provided in section 5 of this Act;

19      (2)    The new business school at the University of South Dakota in Vermillion, South  
20          Dakota, for an estimated cost of twelve million eight hundred thousand dollars which  
21          may be funded from federal sources and private donations;

22      (3)    The Old Armory renovation at the University of South Dakota in Vermillion, South  
23          Dakota, for an estimated cost of two million two hundred thousand dollars which may  
24          be funded from federal sources and private donations;

(4) The Al Neuharth Media Center renovation at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of four million two hundred thousand dollars which may be funded from federal sources and private donations; and

(5) The Slagle Auditorium renovation at the University of South Dakota in Vermillion, South Dakota, for an estimated cost of three million five hundred thousand dollars which may be funded from federal sources and private donations.

Section 5. The Board of Regents may lease Solberg Hall, and such portions of its surrounding grounds as may be needed to conduct renovation activities, to the South Dakota State University Foundation to permit the foundation to renovate the structure and to donate all improvements to the State of South Dakota for the use and benefit of South Dakota State University. The Board of Regents may accept such donation if all improvements are designed and specified in accordance with the requirements stated in §§ 5-14-11 to 5-14-13, inclusive; if all plans, specifications, and construction documents are delivered to the Board of Regents in the formats that the State Engineer requires for the keeping of such records; and if the foundation secures the approval of a building committee appointed by the Board of Regents for the project as provided in § 5-14-3 for the initial designs, plans, and specifications, and for any subsequent modifications of the same that may affect the use, operating costs or long-term maintenance of the renovated facility.

Section 6. There is hereby appropriated from the higher education facilities fund established in § 13-51-2 the sum of five million seven hundred fifty thousand dollars for the Cook classroom renovation or replacement space.

Section 7. The authorizations granted under section 1 of this Act, and all necessary appropriations required to finance and to complete such projects, remain effective through June 30, 2009. However, no bonds may be issued under the authority of this Act if such issuance

1 would violate the restriction established in § 13-51-2.

2 Section 8. The authorizations granted under section 2 of this Act, and all necessary  
3 appropriations required to finance and to complete such projects, remain effective through  
4 June 30, 2013.

5 Section 9. All cost estimates contained in this Act have been stated in terms of 2001 values.  
6 The Board of Regents may adjust such cost estimates to reflect inflation as measured by the  
7 Building Cost Index reported by the Engineering News Record. The limitations on the amount  
8 of bonded indebtedness stated in section 3 of this Act are not subject to such adjustment.

9 Section 10. No indebtedness, bond, or obligation incurred or created under the authority of  
10 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor  
11 against the property or funds of the State of South Dakota within the meaning of the  
12 Constitution or statutes of the state.

13 Section 11. The Building Authority and the Board of Regents may accept, transfer, and  
14 expend any funds obtained for these purposes from federal sources, gifts, contributions, or any  
15 other source, all of which shall be deemed appropriated to the project authorized by this Act.

16 Section 12. The administration of the design and construction of the projects authorized in  
17 sections 3 and 4 of this Act shall be under the general charge and supervision of the Bureau of  
18 Administration as provided in chapter 5-14, except as otherwise provided in section 5 of this Act.  
19 The executive director of the Board of Regents and the executive secretary of the Building  
20 Authority, or their designees, shall approve vouchers and the state auditor shall draw warrants  
21 to pay expenditures authorized by section 3 of this Act. The executive director of the Board of  
22 Regents, or a designee, shall approve vouchers and the state auditor shall draw warrants to pay  
23 expenditures authorized by section 4 of this Act, except as otherwise provided in section 5 of this  
24 Act.

1       Section 13. The Board of Regents may make and enter into a lease agreement with the  
2       Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12,  
3       from the higher education facilities fund for the purposes of this Act.